

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VERNON WILLIAMS,)	
Petitioner,)	
)	
vs.)	Civil Action No. 12-8
)	
LOUIS S. FOLINO, et al.,)	
Respondents.)	

ORDER


On January 4, 2012, the petitioner, Vernon Williams, initiated this case by submitting a petition for writ of habeas corpus, which was docketed on January 9, 2012 after he paid the filing fee. On March 29, 2012, Magistrate Judge Mitchell filed a Report and Recommendation (Docket No. 13), recommending that the petition be dismissed and that a certificate of appealability be denied. Later that same day, the Court received and docketed petitioner's response to the answer, which he titled "Traverse Response to Respondents Reply" (Docket No. 14). On April 12, 2012, petitioner sent a letter to Magistrate Judge Mitchell, in which he requested that Magistrate Judge Mitchell read his "traverse" prior to petitioner filing his objections, which were due on April 16, 2012. In response to this letter, Magistrate Judge Mitchell entered an Order (Docket No. 16) on April 19, 2012, in which he indicated that, in light of the petitioner's letter and his traverse, the petitioner would be allowed until April 26, 2012 to file his objections.

On April 20, 2012, petitioner filed his objections. In the objections, he complains, inter alia, about the Report and Recommendation being filed before his traverse. Petitioner is hereby notified that, in reviewing this case, the Court has considered both his traverse and his objections to the Report and Recommendation.

AND NOW, this 7th day of ~~April~~ May, 2012, after the petitioner, Vernon Williams, filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and upon consideration of the "traverse" filed by the petitioner (Docket No. 14), and the objections to the Report and Recommendation (Docket No. 17), and upon independent review of the petition and the record and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 13), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by petitioner Vernon Williams (Docket No. 4) is dismissed and, because reasonable jurists could not conclude that a basis for appeal exists, a certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.


Arthur J. Schwab
United States District Judge

cc: Vernon Williams
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